

**SB 96: Improving the Ballot Measure Process
at the Request of Attorney General Mike McGrath
& Secretary of State Brad Johnson**

SB 96 seeks to streamline and simplify each step of the ballot measure process.

Signature Gathering

Under existing law, signature gatherers can swear they "gathered" or "assisted in gathering" signatures to qualify measures for the ballot. Under SB 96, gatherers could no longer swear to "assisting" in gathering signatures.

- SB 96 would also prohibit ballot measure supporters from paying signature gatherers per signature.
- Signature gatherers would have to be Montana residents.

Ballots

The statement of purpose is carefully crafted to clearly explain the intent of the initiative or referenda. In many counties, however, the statement of purpose does not appear on the ballots on which Montanans cast their votes. SB 96 would eliminate "abbreviated" ballots and place the statement of purpose of each measure on the ballots voters use.

It would also provide for notice of conflicting ballot issues on the voters' ballots.

Timelines

There are a number of confusing timelines in the ballot measure process.

SB 96 would condense the timeline for preparation of ballot statements and opinions of legal sufficiency to one 30-day period. It would lengthen the time for fiscal note preparation from six days to 10 days.

And SB 96 would ensure that the process begins and ends in the Secretary of State's Office. Under existing law, the text of a ballot measure must be submitted to legislative services. Under this bill, the text goes to legislative services only after submission to the Secretary of State.

Legal Review

Under SB 96, any challenge to the statement of purpose and legal sufficiency opinion provided by the attorney general would originate in the Montana Supreme Court. In the event the court revises a ballot statement, signatures gathered on petitions prior to the revision would be void.

Challenges to certification – due to illegally gathered signatures or a fraudulent canvass, for example – would have to be filed in Lewis & Clark County within 30 days of certification.

Summary

The ballot measure process is an important one, and Montana voters should have faith in every step of it. The changes proposed by SB 96 will help lessen voter confusion and simplify the process.